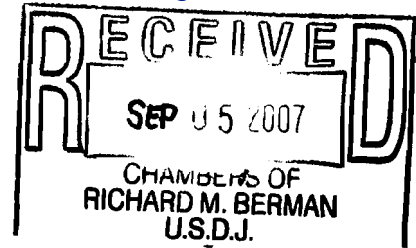


MEMO ENDORSED



MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

Lisa Applebaum
Tel. (212) 788-1194
Fax (212) 788-9776
lappleb@law.nyc.gov

September 4, 2007

Application Granted

SO ORDERED:

Date:

9/5/07

Richard M. Berman
Richard M. Berman, U.S.D.J.

BY FIRST CLASS MAIL

The Honorable Richard M. Berman
United States District Court
Southern District of New York
40 Centre Street/500 Pearl Street
New York, NY 10007

Re: *Richard Jones v. City of New York, et al.*, 07 CV 7004 (RMB) (DBF)

Dear Judge Berman:

I am with the office of Michael A. Cardozo, Corporation Counsel of the City of New York. I write with respect to the above-referenced matter to inform the Court that this office has received an EDF notification indicating that the named individual officer defendants, Stevens, Rose, and Irias, have been served with the summons and complaint in this action. This office has not discussed with the defendants the manner of service, and we make no representation herein as to the adequacy of process on defendants. Although this office does not currently represent defendants Stevens, Rose, and Irias in this action, and assuming they were properly served, this office respectfully requests, on their behalf, an extension of time to respond to the complaint, in order that their defenses are not jeopardized while the City's files are accessed and representational issues are being decided.¹ Since Your Honor recently granted an extension of time as to the defendant City of New York and has set down an initial conference for November 14, 2007, we respectfully request that the Court grant the same sixty day extension to the individual defendant officers, from the current due date of September 10, 2007 to November 5, 2007. Plaintiff's counsel has agreed to the enlargement of time.

Upon information and belief, no previous request for an extension of time has been made by these individual officer defendants. Accordingly, we respectfully request that the individual

¹ See *Mercurio v. The City of New York, et al.*, 758 F.2d 862, 864-65 (2d Cir. 1985) (quoting *Williams v. City of New York, et al.*, 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law)).

defendants' time to answer or otherwise respond to the complaint be extended to November 5, 2007.

Thank you for your consideration in this matter.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be 'Lisa Applebaum', written in a cursive style.

Lisa Applebaum, Intern
By Appearance Order of August 31, 2007

cc: Jeffrey Pollack **via fax: (914) 946-9585**
Attorney for Plaintiff